

International Construction Arbitration

“The team handled a frustrating issue very well and solved the dispute in a constructive way.”

Chambers Europe 2013 Dispute Resolution

Simmons & Simmons has ‘a depth of experience’ in representing international clients in construction and engineering disputes.”

Legal 500 UK 2013 Construction

Core strengths

Our construction arbitration practice is well known, respected and covers Africa, Asia, Europe and Middle East.

We operate in international teams in order to handle large scale international arbitrations, and do so together with our corporate and transaction practices.

Our lawyers act for a broad range of clients including government bodies, oil, gas, power, mining and infrastructure companies, financial institutions, developers, employers, contractors, engineers, architects, project managers and consultants.

We provide the optimal application of legal and sector experience on all our mandates, by:

- being pragmatic and strategic
- being experts in the fields of construction and engineering
- breaking down disputes and damages into constituent elements (including technical experts amongst our lawyers)
- agreeing, with our clients, on the business objectives of a dispute and/or project

Several of our lawyers sit as mediators, adjudicators and arbitrators. Their knowledge and experience of effective dispute resolution is an integral part of our offering and helps us to provide decisive strategic and tactical advice.

In addition, our lawyers who have worked in the industry as surveyors or engineers

have a good insight into construction processes. Many of our lawyers have direct experience of working on projects within industry and a number are also dual qualified as advocates and professional consultants. This is another resource that we bring to bear and that improves cost effectiveness.

Expertise in practice

Our lawyers’ experience in international construction arbitration includes (on a no name basis):

Africa

- Landing station. Telecommunications and cables
- Advising a confidential client on a dispute concerning the construction of a power plant in Kenya.
- Advising the Government of Rwanda on dispute issues relating to the construction of a new airport in Rwanda.
- Advising a major Chinese contractor in connection with disputes in Uganda relating to a new road project.
- Advising a consortium of Chinese contractors on issues relating to the return of performance bonds from the Libyan government post the civil war.
- Advising an Egyptian Contractor on disputes relating to the design and construction of a mixed use development scheme in Cairo

Asia

- arbitrations on major roads and highway projects in Asia relating to project delivery

- ICC arbitrations (acting for the employer) against a Japanese contractor relating to major infrastructure works (roads, bridges, tunnels) in Vietnam, including issues relating to price fluctuation formulae, variations and delay
 - LCIA arbitration (acting for an international energy company) relating to construction works at Sakhalin Island
 - Arbitrations relating to housing projects in Hong Kong
- Europe**
- FIDIC arbitration on major roads and highway projects in Europe during project delivery
- Middle East**
- NAI arbitrations on various works defects claims including delaminating of concrete, tunnel defects and defective bridge design in the Netherlands
 - LCIA arbitration on allegations of fraud in the battle for control of a major Russian mining and metallurgical company
 - ICC arbitration for to a Romanian Road Project relating to payments under the FIDIC Red Book
 - BIT arbitration road and railway construction in Europe
 - arbitration (acting for lenders) regarding claims made by a contractor for extensions of time and changes in design in relation to a Desalination Plant in Abu Dhabi
 - managing a very large portfolio of ADCCAC arbitrations (acting for a major real estate developer) in respect of an iconic residential project in Abu Dhabi
 - ICC arbitration in relation to The Pearl in Qatar, dealing with construction issues including termination of the main contract, delay and disruption
 - ICC arbitration (acting for a major Turkish contractor) in relation to the major Oil Pipeline

Key international contacts

Key contact biographies can be viewed at simmons-simmons.com

Philip Vaughan

Abu Dhabi/ London

T +44 207 825 4204

E [philip.vaughan](mailto:philip.vaughan@simmons-simmons.com)

@simmons-simmons.com

Joseph Chu

Beijing

T +861085884 505

E [joseph.chu](mailto:joseph.chu@simmons-simmons.com)

@simmons-simmons.com

Navneet Juty

London

T +44 207 825 3984

E [navneet.juty](mailto:navneet.juty@simmons-simmons.com)

@simmons-simmons.com

Luc Cohen

Amsterdam

T +31 20 722 2313

E [luc.cohen](mailto:luc.cohen@simmons-simmons.com)

@simmons-simmons.com

Simon Morgan

Beijing/Hong Kong

T +86 10 8588 4518

E [simon.morgan](mailto:simon.morgan@simmons-simmons.com)

@simmons-simmons.com

Yves Baratte

Paris

T +33 153 291 614

E [yves.baratte](mailto:yves.baratte@simmons-simmons.com)

@simmons-simmons.com

Sjoerd Rutten

Amsterdam

T +31 20 722 2350

E [sjoerd.rutten](mailto:sjoerd.rutten@simmons-simmons.com)

@simmons-simmons.com

Philip Norman

Doha

T +9744 409 6747

E [philip.norman](mailto:philip.norman@simmons-simmons.com)

@simmons-simmons.com

Amanda Lees

Singapore

T +65 6831 5635

E [amanda.lees](mailto:amanda.lees@simmons-simmons.com)

@simmons-simmons.com

Rogier Schellaars

Amsterdam

T +31 20 722 2358

E [rogier.schellaars](mailto:rogier.schellaars@simmons-simmons.com)

@simmons-simmons.com

David Risbridger

Dubai

E +97147096 649

T [david.risbridger](mailto:david.risbridger@simmons-simmons.com)

@simmons-simmons.com

simmons-simmons.com

elexica.com

@SimmonsLLP

elexica.com is the award winning online legal resource of Simmons & Simmons

© Simmons & Simmons LLP 2014. All rights reserved, and all moral rights are asserted and reserved.

This document is for general guidance only. It does not contain definitive advice. SIMMONS & SIMMONS and S&S are registered trade marks of Simmons & Simmons LLP.

Simmons & Simmons is an international legal practice carried on by Simmons & Simmons LLP and its affiliated practices. Accordingly, references to Simmons & Simmons mean Simmons & Simmons LLP and the other partnerships and other entities or practices authorised to use the name "Simmons & Simmons" or one or more of those practices as the context requires. The word "partner" refers to a member of Simmons & Simmons LLP or an employee or consultant with equivalent standing and qualifications or to an individual with equivalent status in one of Simmons & Simmons LLP's affiliated practices. For further information on the international entities and practices, refer to simmons-simmons.com/legalresp

Simmons & Simmons LLP is a limited liability partnership registered in England & Wales with number OC352713 and with its registered office at CityPoint, One Ropemaker Street, London EC2Y 9SS. It is authorised and regulated by the Solicitors Regulation Authority.

A list of members and other partners together with their professional qualifications is available for inspection at the above address.